

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nikolaos I. Komninos
Appl. No.: 10/735,520
Filed: December 12, 2003
Docket No.: 1881
Title: **MULTI-FUNCTIONAL LEAK DETECTION INSTRUMENT
ALONG WITH SENSOR MOUNTING ASSEMBLY AND
METHODOLOGY UTILIZING THE SAME**
Art Unit: 1614
Examiner: Michael Cygan
Action: **WRITTEN STATEMENT PURSUANT TO 37 C.F.R. §1.133(b)**
Date: November 2, 2005

TO: Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.133(b), the undersigned hereby provides a consolidated complete written statement of two telephonic interviews which took place between Examiner Cygan and Applicant's undersigned representative on October 28, 2005 and November 1, 2005.

On October 28, 2005, the undersigned initiated a telephone call with Examiner Cygan in an effort to more fully understand the Examiner's basis for finding that US Publication No. US 2004/0050188 A1 to Richards teaches ultraviolet LEDs [30], as set forth in the Examiner's 35 U.S.C. §103 rejection in the non-final Office Action mailed August 2, 2005. During that brief conversation, Applicant's representative maintained that the Richards reference only mentions ultraviolet capabilities in paragraph 30 with regard to the sensing device's video camera. The undersigned submitted to the Examiner that Richards only discusses emission of light in the context of visibly illuminating an area such as through use of a flashlight or a plurality of light emitting diode (LED) light sources

30 on his camera. During the initial conversation, the Examiner acknowledged there was not an explicit teach of UV LEDs [30] but offered that Richards inherently teaches the use of UV LED emitters by virtue of discussing that the video camera sensing device 20 has ultraviolet properties. Agreement was not reached during this initial conversation; however, the undersigned representative indicated that he would revisit the Richards' publication in view of this clarification.


The undersigned again telephoned the Examiner on November 1, 2005 and submitted that a further review of the Richards' publication merely bolstered the belief that there is no teaching, explicit or inherent, of UV LED emitters in Richards, in part, because Richards describes a passive sensing device which has the capability to visibly illuminate an area if necessary and detect a variety of characteristics of the environment. Applicant's representative further submitted that it is a false premise to presume that Richards' would incorporate UV LED emitters simply because its video camera sensing device 20 has ultraviolet properties.

While agreement was again not reach during this second conversation, the Examiner did ask for the undersigned to elaborate on this point in the upcoming response, as that might the Examiner's determination on whether Richards fairly suggests the use of UV LEDs.



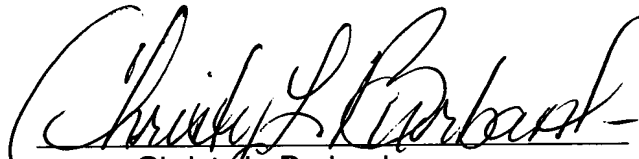
Respectfully submitted,

MARTIN & HENSON, P.C.

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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing **WRITTEN STATEMENT (3 pages)**, and is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2nd day of November, 2005.


Christy L. Burbank